United Nations PCNICC/2002/WGFYB/L.5

Preparatory Commission for the International Criminal Court

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Working Group on a Draft Budget for the Financial Period of the Court
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Revised draft budget for the first financial period of the Court

Proposed changes to the text of Part One of the draft budget (PCNICC/2002/L.1/Rev.1/Add.1, sect. A)*

Paragraph 1

The fifth sentence *should read*

Based on the last preambular paragraph of General Assembly resolution 56/85 of 12 December 2001 **and the decision of Preparatory Commission at its 41st plenary meeting on 8 July 2002**, that the first meeting of the Assembly be held **at United Nations Headquarters in New York from 3 to 10** September 2002, the first financial period would thus stretch from September 2002 to the end of December 2003, namely 16 months.

The last sentence *should read*

The proposed estimates ... relate to the costs of operation of the ICC and the costs related to the meetings of the Assembly of States Parties, the meetings of the Bureau of the Assembly, the Committee on Budget and Finance, **two plenary sessions of the Court subsequent to the Inaugural Meeting, a meeting of the Board of Directors of the Victims Trust Fund, as well as the costs related to the Inaugural Meeting.**

* The proposed changes have been made in the light of discussion on the draft budget during the tenth session of the Preparatory Commission.

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Paragraph 3

The third and fourth sentences *should read*

It is anticipated that the overall staffing resource requirements of the Court might consist of **202** posts in 2003 and **61** posts in the period from September to December 2002 (see Part Two, tables 3 and 4). Organizational charts containing details of the proposed staffing structure in 2003 are shown in annexes I.**A, B, C and D** to the present document.

Paragraph 6

The paragraph *should read*

The first **and the resumed/special meetings** of the Assembly of States Parties will be held at **the Headquarters of the** United Nations in New York, **whereas the Inaugural Meeting of the Court will take place at The Hague. A meeting of the Board of Directors of the Victims Trust Fund will also be held at The Hague.** The **second meeting of the Assembly of States Parties, the June 2003 meeting of** the Bureau and **the meeting of** the Committee on Budget and Finance in 2003 **will take place in New York. During discussions in the Working Group on a Draft Budget for the First Financial Period of the Court, a general preference was expressed for the convening of future meetings in The Hague. At the same time, it was recognized that the initial meetings should be convened at the Headquarters of the United Nations in New York**. The dates and duration **of the meetings** are **assumed to be as follows:** Assembly of States Parties**: six days for the first meeting in September 2003, five days for the resumed/special meeting** in January/**February** 2003, **three days for the** resumed/special **meeting** in April 2003 and **five days for the** second meeting in September 2003; Bureau of the Assembly**: one one-day meeting** in June 2003; Committee on Budget and Finance: one five-day **meeting** in August 2003**; and Board of Directors of the Victims Trust Fund: one three-day meeting in 2003.**

New paragraph 6 (bis)

Add a new paragraph 6 (bis), *reading*

It is also foreseen that a one-day plenary session of the Court for the election of the Registrar and a two-week plenary session of the Court for the elaboration and adoption of the Regulations of the Court would be convened in 2003. Accordingly, the costs of those sessions have been included in the present document.

Paragraph 7

The paragraph *should read*

The Inaugural Meeting of the Court will be held at The Hague. **It** is assumed that **it** would be held in February 2003, shortly after the resumed/**special** meeting of the Assembly in January/**February** 2003. **In view of the commitment of the Government of the Netherlands to finance the Inaugural Meeting of the Court, only estimates of travel costs and partial daily subsistence allowance in respect of the judges and the Prosecutor were included.**

Paragraph 8

Replace the text of paragraph 8 with the text of paragraph 115 of Part Two (PCNICC/2002/WGFYB/L.3).

Paragraph 9

Replace the text of paragraph 9 with the text of paragraph 115 (bis) of Part Two (PCNICC/2002/WGFYB/L.3).

Paragraph 10

Delete the last two sentences.

Paragraph 11

The paragraph *should read*

The estimates provided in the present draft budget are based on cost parameters for the years 2002 and 2003. The total requirements for the first financial period **on the basis of estimates of meetings in New York** would be **€[...]. Since the host Government has committed itself to contribute a non-reimbursable amount of €300,000 to defray the cost of the meetings,[1] the total costs for holding meetings are presented as net of the €300,000 contribution from the host country.** Further details concerning total requirements can be found in paragraphs 107 and 108 as well as tables 1 and 2 in Part Two of the present document.

Paragraph 11 (bis) **[taken from PCNICC/2002/WGFYB/L.4 as orally amended]**

Pursuant to regulation 6.2 of the draft Financial Regulations (PCNICC/2001/1/Add.2), an amount of [...] (based on the practice of the United Nations, at one twelfth the cost of the operations of the Court) is provided for the establishment of a Working Capital Fund to ensure capital to meet short-term liquidity requirements pending the receipt of assessed contributions. Advances shall be made in accordance with the agreed scale of assessment pursuant to draft regulation 5.2, **and shall be carried to the credit of States Parties which have made such advances.**

Paragraph 21

Delete footnote 10, and the paragraph *should read*

With respect to the first meeting of the Assembly of States Parties, the General Assembly, in its resolution 56/85, requested the Secretary-General to undertake the preparations necessary to convene it. Thus, the Secretariat of the United Nations will provide substantive servicing of the first meeting of the Assembly of States Parties. The overall cost requirements based on two meetings per day **over a period of six days** were estimated at €[...]

[1] See PCNICC/2002/INF/5, para. 9.

Paragraph 23

The paragraph *should read*

Three additional meetings of the Assembly of States Parties are contemplated in 2003: a resumed/**special** meeting of **six days'** duration in January/**February**, a resumed/special **meeting** of **three days'** duration in April and the second meeting of **five days'** duration in September. The estimated cost of these meetings would be €[...] These estimates do not include the cost of the first meeting of the Assembly of States Parties referred to above.

Paragraph 25

The second sentence *should read*

It is expected that **the Bureau** will **hold a one-day** meeting in **June** 2003, to discuss organizational matters.

Paragraph 26

Delete the paragraph.

Paragraph 28

In the last sentence, after the phrase "hotel costs for the judges", *add* the words "and the Prosecutor".

New chapter V bis and new paragraphs 29 bis and 29 ter [taken from PCNICC/2002/WGFYB/RT.12]

Add a new chapter **"V (bis). Subsequent meetings of the Court in plenary session" and** new paragraphs 29 bis and 29 ter (PCNICC/2002/WGFYB/RT.12).

New chapter V ter and new paragraph 29 quater [taken from PCNICC/2002/WGFYB/RT.14 as orally amended]

Add a new chapter "V ter. Meeting of the Board of Directors of the Victims Trust Fund" and a new paragraph 29 quater (PCNICC/2002/WGFYB/RT.14).

Paragraph 31

The paragraph *should read*

It is estimated that €[...] will be required **for the meeting of** the Committee **on Budget and Finance.**

Paragraph 36

Delete the entire paragraph.

Paragraph 38

Delete the words "(see prior para. 36).".

Paragraphs 39, 80 and 84

Replace the words "first year of operation" *with* the words "first financial period".

Paragraph 41

The last sentence *should read*

The conditions of service and the compensation of the ICC judges are set out in annex VI to the present document.

Paragraph 45

The fourth and fifth sentences *should read*

In view of these requirements, it is unlikely that the first Deputy Prosecutor would be elected during the resumed/**special** meeting of the Assembly **in January/February 2003** (unless consensus regarding the suitable candidates is reached prior to the session). Accordingly, the first Deputy Prosecutor could be elected at a **resumed**/special **meeting** of the Assembly to be held in **April** 2003.

Paragraph 46

Delete the fourth sentence.

Paragraph 47

In the last sentence, the word "advisers" *should read* "adviser(s)".

Paragraphs 48, 51, 56, 57, 62, 63, 64, 76, 107 and footnotes 20 and 24

Replace the words "first budgetary period" *with* the words "first financial period".

Paragraph 58

In the penultimate sentence, insert after the words "including legal advisers" the words ", as appropriate,".

Paragraph 61

Replace the words "first period" *with* the words "first financial period".

Paragraph 87

Delete footnote 33.

New paragraph 87 (bis) [taken from PCNICC/2002/WGFYB/RT.14]

Add a new paragraph 87 bis (PCNICC/2002/WGFYB/RT.14).

Paragraph 89

The penultimate sentence *should read*

Thus, a provision in the amount of €[...] is included in the reserve for unforeseen expenses to cover legal aid costs if and when necessary.

Paragraph 92

The first sentence *should read*

The overall staffing resource requirements for the Registry would consist of one staff at the Assistant Secretary-General level; two P-5, eight P-4, **nine** P-3, six P-2, and one General Service (Principal level) and 17 General Service (Other level) staff.

New paragraphs 98 bis and ter as orally amended [taken from PCNICC/2002/WGFYB/L.4]

Add new paragraphs 98 bis and 98 ter (PCNICC/2002/WGFYB/L.4, paras. 6 and 7).

Paragraph 106

Replace the words "first year" *with* the words "first financial period".

Paragraph 109

The first sentence *should read*

The overall staffing requirements of the Common Services Division would thus consist of 1 D-1, 5 P-5, **13** P-4, **18** P-3, 7 P-2, **5** General Service (Principal level), **34** General Service (Other level) and 20 Security Service staff.

New Chapter XII (bis)

Add a new chapter reading

XII bis. External audit [taken from PCNICC/2002/WGFYB/L.4, as orally amended]

109 bis. In accordance with regulation 12 of the draft Financial Regulations of the Court, an external Auditor shall be appointed by the Assembly of States Parties to conduct audits in conformity with generally accepted common auditing standards, subject to any special directions of the Assembly of States Parties. The Auditor shall issue a report relating to the accounts for the financial period**, such a report to include information on matters referred to in regulation 12 (3) of the draft Financial Regulations of the Court**.

109 (ter). Since it has been proposed that the first financial period should extend from September 2002 to the end of December 2003 and owing to the fact that a certain level of activity and related expenditure will occur prior to the appointment of the Registrar, it is considered advisable that an initial audit should cover the period beginning with the very first activities of the Court, including meetings of the Assembly of States Parties, until such time as the Registrar takes up his or her duties. It is contemplated that a subsequent audit would cover the entire first financial period.

109 (quater). While the Auditor has yet to be appointed, it is estimated that the total cost of external audit for the first financial period of the Court would be €40,000. This figure is reflected in Part Two of the **present document**.

Paragraph 110

Add a new last sentence, *reading*

For more details on the matter, see **annex V to the present document**.

Section B

Delete the heading as well as the entire text of the task list.